



**Department of Energy**  
Washington, DC 20585  
October 29, 2001

RCRA Information Center (5305W)  
U.S. Environmental Protection Agency  
Ariel Rios Building, 1200 Pennsylvania Ave.. NW  
Washington, DC 20460  
Docket # F-2001-CP4P-FFFFF

Dear Sir:

The Department of Energy (DOE) is committed to implementing an affirmative procurement program, pursuant to the Resource Conservation and Recovery Act, for the purchase of EPA-designated items with recovered content. To that end, DOE elements were notified of the August 26<sup>th</sup>, 2001, Federal Register announcement of candidate products for addition to the Comprehensive Procurement Guideline (CPG), and several comments from those involved in this program have been received. The Department of Energy provides the following comments on the proposed CPG for your consideration.

1) DOE sites have expressed concerns about the proposed concrete additives. An operations office in the western part of the country has stated "...that cenospheres and silica fume additives for concrete may not be as readily available in all locations as EPA suggests. For those instances where they are not available, or concrete containing those additives would not meet requirements for certain applications, the appropriate exemptions will be applied."

Another office in the northwest advises that "Using silica fume as an additive to concrete is not cost effective and reduces the stability of the concrete mixture. The vendors that we contacted have used silica fume as an additive to produce higher strength concrete but found it has inherent problems of placement, workability, and curing. Unlike fly ash where the cost with or without fly ash is the same, including silica fume increases the cost by about \$1 per pound. A typical [cubic] yard of concrete will use nearly 50 pounds of silica fume, which would increase the cost roughly 50-65% for each [cubic] yard of concrete used. None of the vendors contacted that supply concrete to our contractors are familiar with the application of cenospheres as an additive to concrete."

2) DOE sites also have indicated that a key problem in implementing this program has been finding vendors/manufacturers who have the designated items available with recycled content. During the past when some of our operating contractors have attempted to use the list on EPA's web page to contact vendors, they found that many of the vendors were either out of business or are no longer producing and/or selling the product with recycled content. Recently, one of our contractors attempted to contact a vendor listed on the EPA web page with questions concerning recycled-content of recycling containers. The key manufacturer of

recycled-content recycling containers listed on the EPA web page discontinued including recycled content in their recycling containers after they were designated by EPA. The only manufacturer of recycled-content recycling containers our contractor was able to locate was in Canada.

Additionally, we have found that it is time-consuming and somewhat inefficient for each DOE site to research the availability of the designated items. The Department agrees with the recent GAO report on this program where GAO recommended that "...the Federal Environmental Executive and the Administrator of EPA work ... to develop a process to provide the procuring agencies with current information on the availability of the designated recycled-content products."

We appreciate your consideration of these comments as you finalize the proposed CPG. Please do not hesitate to call Don Lentzen of my staff at 202 586-7428 if we can be of further assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Traceski', with a stylized flourish at the end.

Thomas T. Traceski,  
Director, RCRA/CERCLA Division  
Office of Environmental Policy and Guidance